



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON/WORK RELEASE
OFFENDER MANUAL

REVISION DATE
11/21/15

PAGE NUMBER
1 of 5

NUMBER
DOC 450.050

POLICY

TITLE

PROHIBITED CONTACT

REVIEW/REVISION HISTORY:

Effective: 6/30/96
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Revised: 12/1/99
Revised: 12/2/02
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Revised: 5/9/08
Revised: 4/30/09
Revised: 8/30/10
Revised: 4/1/12
Revised: 6/15/15
Revised: 11/21/15

SUMMARY OF REVISION/REVIEW:

I.B.6. & 7. - Added staff found to have engaged in PREA violations
Added Section III. on contact restrictions for staff sexual misconduct/harassment


APPROVED:

Signature on file

DAN PACHOLKE, Secretary
Department of Corrections

11/13/15

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [WAC 137-48](#); [DOC 490.800 Prison Rape Elimination Act \(PREA\) Prevention and Reporting](#)

POLICY:

- I. Consistent with legitimate penological objectives and public safety, the Department will restrict incarcerated offender contact in any form (e.g., visits, correspondence, telephone) with specific individuals or classes of individuals.

DIRECTIVE:

- I. Criteria
 - A. An offender's contact with specific individuals or classes of individuals will be restricted or prohibited when:
 1. His/her Judgment and Sentence prohibits contact with the individual or class of individuals during incarceration or upon release.
 2. The individual, or parent/legal guardian if the individual is a minor, has requested in writing that contact be stopped or restricted.
 3. There is an active No Contact Order with the individual.
 - B. An offender's contact with specific individuals or classes of individuals may be denied or restricted for reasons including, but not limited to:
 1. The individual participated in a crime of conviction with the offender.
 2. A current Pre-Sentence Investigation recommends no contact.
 3. The nature of a specific treatment program requires prohibited contact with the individual or class of individuals.
 4. The individual or class of individuals has been victimized by the offender.
 5. Facility management has reason to believe that allowing contact would conflict with sound correctional practices or legitimate penological objectives.
 6. The individual was found to have engaged in staff sexual misconduct against any offender as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

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7. The individual was found to have committed staff sexual harassment against any offender as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting.

C. An offender may be prohibited from contact with his/her own child(ren) only if the offender's Judgment and Sentence and/or a No Contact Order prohibits contact, or if necessary to protect the child(ren) from any specific and documented threat of harm. Documentation includes, but is not limited to:


1. A written opinion from a mental health professional or Child Protective Services, and
2. Specific verified incidents of harm to the child(ren) resulting from contact with the offender while s/he was incarcerated in a Department facility.

II. No Contact Process

A. Recommendations for no contact that are not a condition of the Judgment and Sentence will be submitted to the Correctional Program Manager (CPM)/Community Corrections Supervisor (CCS) for approval.

1. The Counselor/Community Corrections Officer will initiate DOC 21-761 Prohibited Contact Review.
2. If the offender is receiving mental health treatment or participating in a sex offender treatment program, the mental health professional will review DOC 21-761 Prohibited Contact Review and provide a written opinion to the CPM/CCS.
3. If contact is prohibited, the CPM/CCS will ensure the DOC 21-761 Prohibited Contact Review is distributed to inform the offender and employees/contract staff.
4. Appropriate records employees will document court ordered prohibited contact information on the Conditions screen in the offender's electronic file, using the No Contact (NC) code.
5. In Prisons, employees/contract staff responsible for documenting offender visiting information will enter prohibited contact information in the Public Access System.

B. Unless the no contact provision was ordered by the court, the offender may appeal the order in writing to the Superintendent/CCS at the facility which


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initiated the order or the current facility, stating the circumstances surrounding the provision and why contact privileges should be restored.

- C. If the offender is transferred to another facility, reinstatement of contact will not occur until the Superintendent/CCS of both facilities agree.
 - 1. If agreement is not reached, a referral may be made to the appropriate Deputy Director or the Work Release/Residential Program Administrator.

III. Restriction Process for Staff Sexual Misconduct/Harassment

- A. Presumptive restrictions for contact between an individual found to have engaged in staff sexual misconduct and any offender, except an offender who is the staff's non-victim family member, are as follows:
 - 1. Substantiated allegations of sexual intercourse, as defined in DOC 490.800 Prison Rape Elimination Act (PREA) Prevention and Reporting, will result in:
 - a. Permanent restriction on visitation, which may be appealed after 3 years.
 - b. An 18 month restriction on telephone and mail communication, including eMessaging.
 - 2. All other substantiated allegations of staff sexual misconduct will result in a one year restriction on telephone and mail communication, including eMessaging, and a 2 year restriction on visitation.
- B. At the time the allegation is substantiated, the Appointing Authority will ensure notification is made to the mailroom, Visiting, and the Intelligence Officer to ensure the restrictions are put in place.
- C. With Deputy Director or Work Release/Residential Administrator approval, the Appointing Authority may grant a request for an exception to the presumptive restrictions, but only when extraordinary circumstances support the request and granting the requested exception will not undermine the Department's zero tolerance of all forms of sexual misconduct.
 - 1. Before exception or lifting of restriction will be considered, the offender must submit a signed DOC 21-067 Request for Visitation/Release, confirming s/he is freely participating in communication with the individual.
 - 2. Appointing Authorities will consult with the Deputy Secretary for possible pursuit of a no contact order between the individual and the offender.

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D. Violation of restrictions may result in an extension of the restriction.

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Mental Health Professional. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

None

DOC FORMS:

[DOC 21-761 Prohibited Contact Review](#)

[DOC 21-067 Request for Visitation/Release](#)